

**REZONING,
PLANNED UNIT DEVELOPMENT
& SUBDIVISION STAFF REPORT**

Date: April 16, 2009

<u>DEVELOPMENT NAME</u>	Pike Manor Ltd.
<u>SUBDIVISION NAME</u>	Lot A, Rangeline Park Subdivision, 6th Addition, Resubdivision of Lot 1, Phase I, and Lot 2, Phase II
<u>LOCATION</u>	Northeast corner of Rangeline Service Road and Abigail Drive
<u>CITY COUNCIL DISTRICT</u>	District 4
<u>PRESENT ZONING</u>	R-1, Single-Family Residential
<u>PROPOSED ZONING</u>	I-1, Light Industrial
<u>AREA OF PROPERTY</u>	1 lot/2.4± acres
<u>CONTEMPLATED USE</u>	<p>Subdivision Approval to combine two legal lots of record into one lot, Planned Unit Development Approval to allow three buildings on a single building site, and Rezoning from R-1, Single-Family Residential District, to I-1, Light Industry District, to bring the zoning into compliance for an equipment rental business.</p> <p>It should be noted, however, that any use permitted in the proposed district would be allowed at this location if the zoning is changed. Furthermore, the Planning Commission may consider zoning classifications other than that sought by the applicant for this property.</p>
<u>TIME SCHEDULE FOR DEVELOPMENT</u>	Immediate
<u>ENGINEERING COMMENTS</u>	Show Flood Zone locations, Wetland delineation and Minimum FFE on plans and plat. No work shall be allowed in wetlands without proper permitting from the Corps of Engineers. Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit. Must provide detention for any impervious area added in excess of 4,000 square feet.

TRAFFIC ENGINEERING**COMMENTS**

Driveway number, size, location, and design to be approved by Traffic Engineering and conform to AASHTO standards.

URBAN FORESTRY**COMMENTS**

Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).

FIRE DEPARTMENT**COMMENTS**

All projects must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, as adopted by the City of Mobile, and the 2003 International Existing Building Code, as appropriate.

REMARKS

The applicant is requesting Subdivision Approval to combine two legal lots of record into one lot, Planned Unit Development Approval to allow three buildings on a single building site, and Rezoning from R-1, Single-Family Residential District, to I-1, Light Industry District, to bring the zoning into compliance for an equipment rental business. The site is located in Council District 4, and according to the applicant is served by public water and sanitary sewer facilities.

The subject site has been used for equipment rental with a lay-down yard for several years. At the time of annexation, the property was zoned as residential, per Section 64-1.C of the Zoning Ordinance, which states that “all new territory shall be in the R-1 District until and unless changed in accordance with the appropriate amendment procedure.” Consequently, the existing business became a non-conforming use. Now, the applicant wishes to construct another building on the site; however, this is considered an expansion of the non-conforming use, which is not allowed per Section 64-7.A.2 of the Zoning Ordinance; hence, this application for rezoning. Furthermore, the applicant proposes to combine the two lots that comprise the existing development with multiple buildings; hence, the applications for Subdivision and Planned Unit Development.

As stated in Section 64-9 of the Zoning Ordinance, the intent of the Ordinance and corresponding Zoning Map is to carry out the comprehensive planning objective of sound, stable and desirable development. While changes to the Ordinance are anticipated as the city grows, the established public policy is to amend the ordinance only when one or more of the following conditions prevail: 1) there is a manifest error in the Ordinance; 2) changing conditions in a particular area make a change in the Ordinance necessary and desirable; 3) there is a need to increase the number of sites available to business or industry; or 4) the subdivision of land into building sites makes reclassification of the land necessary and desirable.

Planned Unit Development review examines the site with regard to its location to ensure that it is generally compatible with neighboring uses; that adequate access is provided without generating excess traffic along minor residential streets in residential districts outside the PUD; and that natural features of the site are taken into consideration. PUD review also examines the design of

the development to provide for adequate circulation within the development; to ensure adequate access for emergency vehicles; and to consider and provide for protection from adverse effects of adjacent properties as well as provide protection of adjacent properties from adverse effects from the PUD.

It is very important to note that Planned Unit Development review is site plan specific; therefore any future changes (parking, access, structure expansion, etc.) must be resubmitted for Planned Unit Development review, and be approved through the planning process.

Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the minimum standards set forth in the Subdivision Regulations for lot size, road frontage, lot configuration, etc.

The applicant states that conditions in the area have changed; before annexation, there were no zoning designations. Now, the current zoning has placed a hardship on the property by not allowing it to expand its use due to a residential zoning classification. The applicant further states that all properties in the area are industrial in nature; thus, the subject property is not inviting as residential.

It should be noted that there is currently an amendment before the City Council, regarding the subject site and all properties in the immediate vicinity, for a B-5, Office-Distribution classification. However, the applicant is proposing I-1, Light Industrial, which will allow many more intense uses. As both districts allow the proposed use, it is staff's opinion that the appropriate designation here would be B-5, Office-Distribution.

To the West, the site fronts Rangeline Road, a major street with sufficient right-of-way. To the South, the site fronts Abigail Drive, a minor street with sufficient right-of-way. No dedication is required.

As illustrated on the site plan, the site has approximately 175' and 450' of frontage along Rangeline Road and Abigail Drive, respectively, with one existing curb cut to Rangeline Road. No access is depicted to Abigail Drive. Since the site is part of a Planned Unit Development, curb cuts will be limited to the approved PUD site plan.

The site plan illustrates three buildings: two existing (7580 and 813 sq ft) and one proposed (6000 sq ft). Of the 14,393 total square feet of building area, 2500 square feet is devoted to office space and the rest as warehousing (maximum 9 warehouse employees). The applicant is providing 18 parking spaces (only 12 are required).

The site plan also illustrates a 50' truck loading space with 90' of maneuvering area in front of the proposed warehouse in the rear of the site, compliant with Section 64-6.B of the Zoning Ordinance. The applicant is proposing some aggregate surfacing in the rear, which may be appropriate for the storage (lay-down) area.

The total gross floor area of existing structures is being increased by more than 50%; thus, the applicant should be aware that full compliance with the landscaping / tree planting ordinance, at the time of permitting, will be required. If the I-1 designation is approved, only frontage trees will be required.

There are no sidewalks illustrated on the site plan, which will be required prior to the issuance of any permits.

The applicant should revise the site plan to depict a dumpster (screened from view), in compliance with Section 64-4.D.9 of the Zoning Ordinance, or provide a note on the site plan stating that no dumpster will be provided. The applicant should also provide a 25' minimum building setback line along both Rangeline Road and Abigail Drive.

The site contains wetlands, which suggest that it may be environmentally sensitive. The approval of all applicable federal, state and local environmental agencies would be required prior to the issuance of any permits or land disturbance activities.

The geographic area defined by the city of Mobile and its planning jurisdiction, including this site, may contain Federally-listed threatened or endangered species as well as protected non-game species. Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.

RECOMMENDATION

Subdivision: Based upon the preceding, the plat meets the minimum requirements of the Subdivision Regulations and is recommended for Tentative Approval, subject to the following conditions:

- 1) placement of a note on the final plat stating that curb cuts shall be limited to those shown on an approved Planned Unit Development site plan;
- 2) provision of a 25' minimum building setback line along all street frontages;
- 3) the applicant receive the approval of all applicable federal, state and local environmental agencies prior to the issuance of any permits or land disturbance activities;
- 4) placement of a note on the plat stating that development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;
- 5) submission of a revised Planned Unit Development site plan to the Planning Section of Urban Development prior to signing the final plat; and
- 6) subject to Engineering comments: *(Show Flood Zone locations, Wetland delineation and Minimum FFE on plans and plat. No work shall be allowed in wetlands without proper permitting from the Corps of Engineers. Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit. Must provide detention for any impervious area added in excess of 4,000 square feet.)*

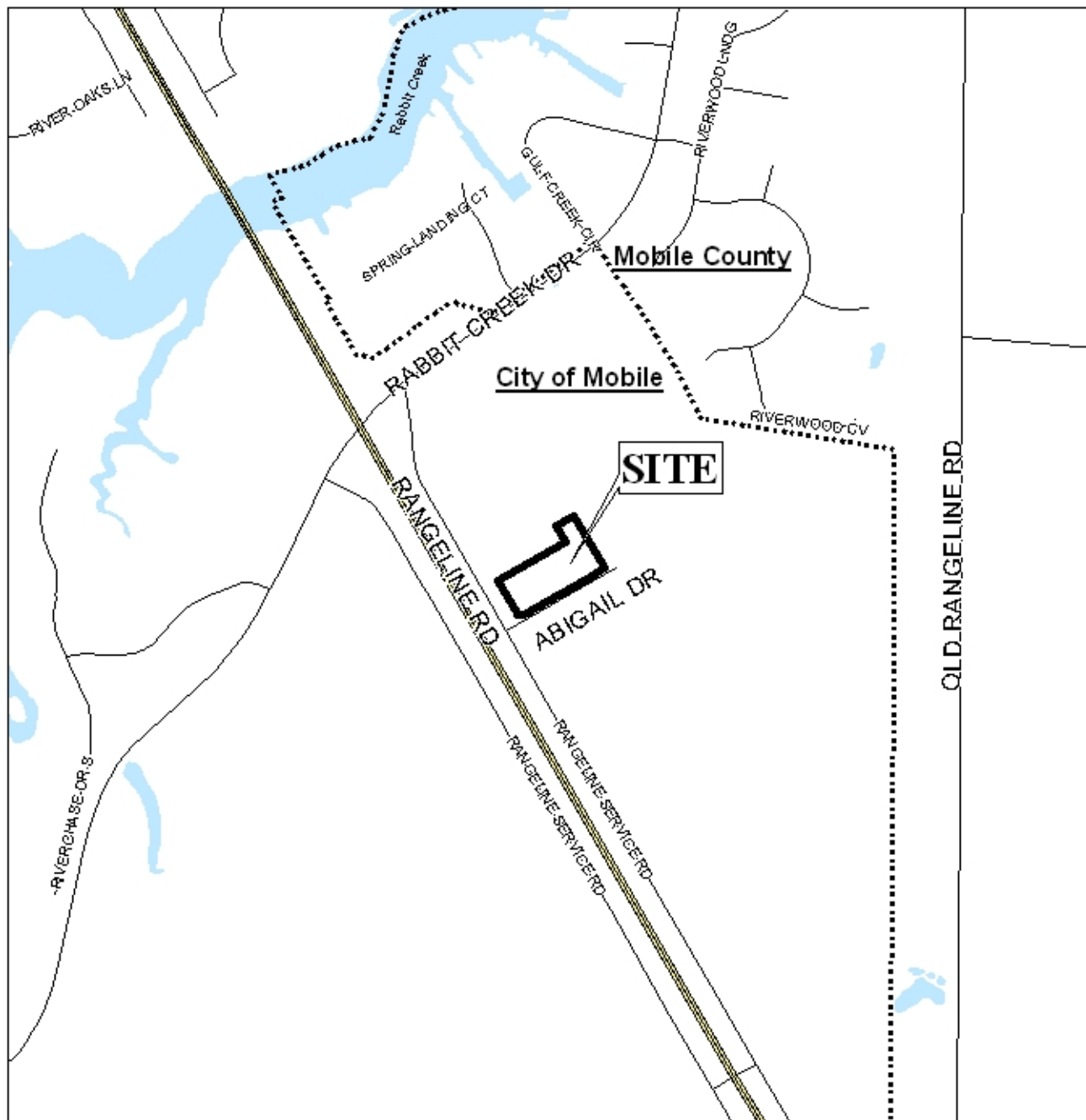
Planned Unit Development: Based upon the preceding, this application is recommended for approval, subject to the following conditions:

- 1) completion of the subdivision process prior to the issuance of any permits or land disturbance activity;
- 2) placement of a note on the site plan stating that Planned Unit Development is site plan specific; thus, any future changes (parking, access, structure expansion, etc.) will require a new Planned Unit Development application;
- 3) provision of trees / landscaping, as required by Section 64-4.E of the Zoning Ordinance;
- 4) provision of sidewalks along Rangeline Road and Abigail Drive, or the submission of and approval of a sidewalk waiver;
- 5) revision of the site plan to illustrate a dumpster (screened from view), in compliance with Section 64-4.D.9 of the Zoning Ordinance, or the provision a note on the site plan stating that no dumpster will be provided;
- 6) provision of a 25' minimum building setback line along both Rangeline Road and Abigail Drive;
- 7) placement of a note on the site plan stating that the approval of all applicable federal, state and local environmental agencies is required prior to the issuance of any permits or land disturbance activities;
- 8) placement of a note on the site plan stating that development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species;
- 9) submission of a revised Planned Unit Development site plan to the Planning Section of Urban Development prior to the issuance of any permits or land disturbance activities;
- 10) full compliance with all other municipal codes and ordinances; and
- 11) subject to Engineering comments: (Show Flood Zone locations, Wetland delineation and Minimum FFE on plans and plat. No work shall be allowed in wetlands without proper permitting from the Corps of Engineers. Must comply with all storm water and flood control ordinances. Any work performed in the right of way will require a right of way permit. Must provide detention for any impervious area added in excess of 4,000 square feet.)

Rezoning: The Rezoning request is recommended as a B-5, Office-Distribution District, subject to the following conditions:

- 1) completion of the subdivision process; and
- 2) full compliance with all municipal codes and ordinances.

LOCATOR MAP



APPLICATION NUMBER 7, 8, 9 DATE April 16, 2009

APPLICANT Pike Manor Ltd.

REQUEST Subdivision, PUD, Rezoning from R-1 to I-1



PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by miscellaneous commercial and industrial land use.

APPLICATION NUMBER 7, 8, 9 DATE April 16, 2009

APPLICANT Pike Manor Ltd.

REQUEST Subdivision, PUD, Rezoning from R-1 to I-1

LEGEND

R-1	R-2	R-3	R-4	R-B	H-B	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2	NTS
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PLANNING COMMISSION VICINITY MAP - EXISTING ZONING



The site is surrounded by miscellaneous commercial and industrial land use

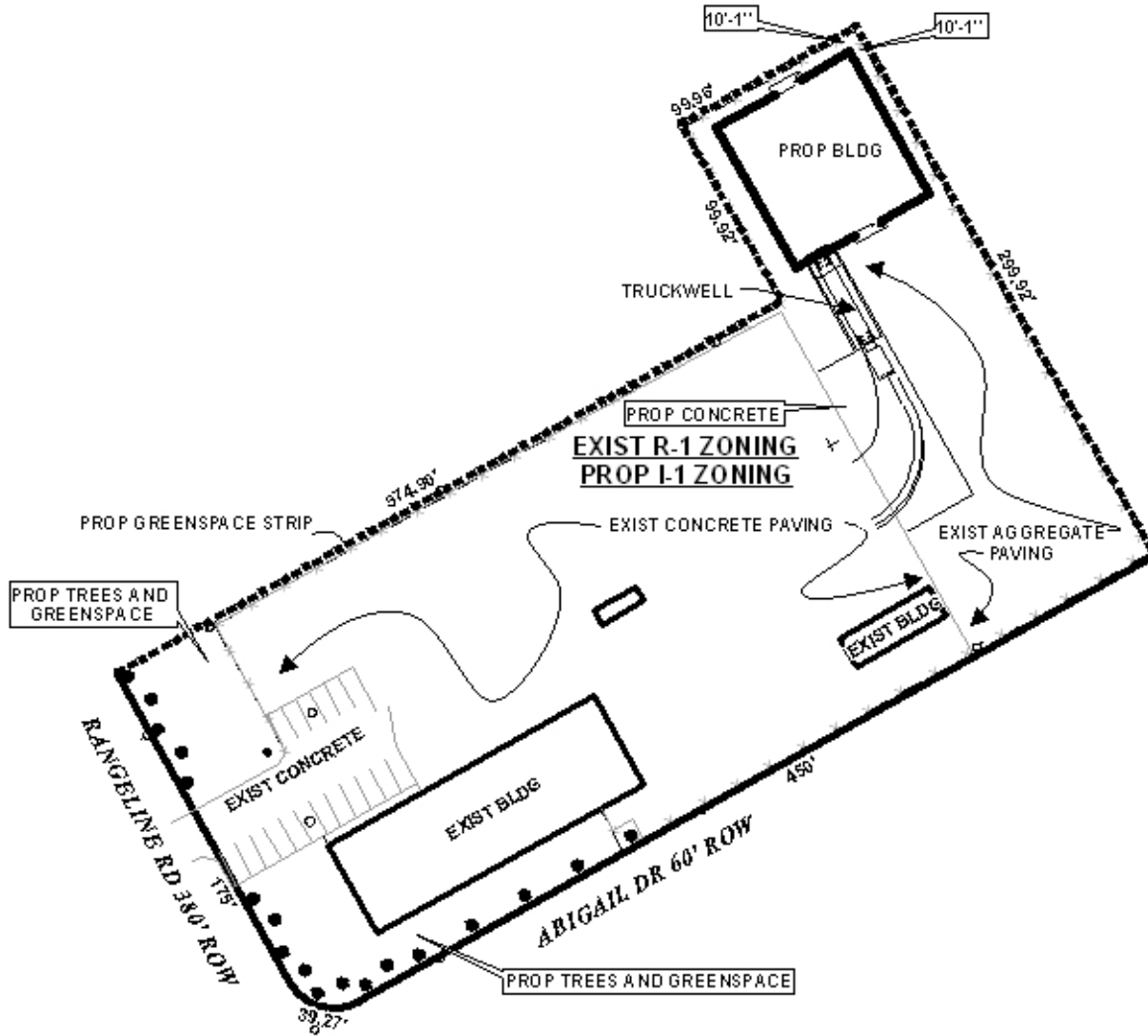
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SITE PLAN



The site plan illustrates the existing buildings, proposed buildings, and existing surfaces

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